

Orlando, Fla., alleging that the article had been shipped from Orlando, Fla., on or about March 8, 1923, and transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Fidelity Brand Fozz Fruits Carefully Graded and Packed * * * Chester C. Fosgate Co. Packers and Shippers of Citrus Fruits Orlando, Florida."

Adulteration of the article was alleged in the libel for the reason that an inedible or dried product had been substituted wholly or in part for edible or juicy product.

On March 28, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

11380. Misbranding of G Zit Complete-Stearns'. U. S. v. 432 Packages of G Zit Complete-Stearns'. Decree of condemnation and forfeiture. Product released to claimants. (F. & D. No. 10571. I. S. No. 7687-r. S. No. C-1277.)

On June 10, 1919, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 432 packages of G Zit Complete-Stearns', each package containing 1 box of Zit bougies and 9 boxes of Zit Antiseptic-Stearns', at Detroit, Mich., alleging that the article had been shipped by the Stearns-Hollinshead Co., Inc., Portland, Oreg., August 3, 1918, and transported from the State of Oregon into the State of Michigan, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the bougies were composed essentially of cacao butter, silver nucleinate, and zinc phenolsulphonate, and that the antiseptic consisted of capsules containing copaiba, cubeb oleoresin, sulphur, and oil.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, instructions, and guarantee, appearing in the booklet with reference to the said Zit Complete-Stearns' and on the respective boxes containing the said bougies and antiseptic, falsely and fraudulently represented the article to be effective to destroy the germ of gonorrhea, to enable persons to avoid stricture, to enable gonorrheal patients to cure themselves, and to prevent sexual diseases from spreading from the afflicted, and that if the said treatment were used there would be less chance for complicated lasting disease, whereas, in truth and in fact, the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On September 14, 1920, the Central Drug Co., Detroit, Mich., and the Stearns-Hollinshead Co., Inc., Portland, Oreg., having entered an appearance as claimants for the property and having submitted revised labels for the product, which labels had been found unobjectionable by this department, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the intervenors pay the costs of the proceedings. Bond having been filed, it was directed that the product be released to the said claimants in pursuance with an order of the court entered February 7, 1923.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

11381. Misbranding of grapes. U. S. v. California Growers & Shippers, Inc., a Corporation. Pleas of guilty. Fine, \$102. (F. & D. Nos. 14357, 14519. I. S. Nos. 7555-t, 10309-t.)

On April 25, 1921, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district informations against the California Growers & Shippers, Inc., a corporation, alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, in two consignments, namely, on or about July 17 and 21, 1920, from the State of California into the States of Pennsylvania and Oregon, respectively, of quantities of grapes which were misbranded. The article was labeled in part: "Nation Bell Brand California's Famous Malaga Grapes Net Weight 26 Lbs. When packed Packed By California Growers & Shippers Inc. Fresno-California."

Examination by the Bureau of Chemistry of this department of a sample from each of the consignments showed in 40 crates of the consignment of July